

STEPHANIE YONEKURA
Acting United States Attorney
ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division
SCOTT D. TENLEY (Cal. Bar No. 298911)
Assistant United States Attorney
General Crimes Section
1100 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
Telephone: (213) 894-8911
Facsimile: (213) 894-0141
E-mail: scott.tenley@usdoj.gov

Attorneys for Respondent
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TEOFIL BRANK,
aka "Jarec Wentworth,"

Defendant.

No. CR 15-131-JFW

GOVERNMENT'S EX PARTE APPLICATION
FOR EXTENSION OF TIME TO PRODUCE
DISCOVERY RELATED TO DEFENDANT'S
APPLICATION FOR BAIL REVIEW

Respondent United States of America, by and through its counsel
of record, the United States Attorney for the Central District of
California and Assistant United States Attorney Scott D. Tenley,
hereby submits this ex parte application for an extension of time to
produce discovery related to defendant's application for bail
review.

//

//

1 The ex parte application is based upon the attached declaration
2 of Scott D. Tenley.

3 Dated: March 31, 2015

Respectfully submitted,

4 STEPHANIE YONEKURA
Acting United States Attorney

5 ROBERT E. DUGDALE
6 Assistant United States Attorney
Chief, Criminal Division

7
8 /s/ _____
SCOTT D. TENLEY
9 Assistant United States Attorney

10 Attorneys for Plaintiff
United States of America

DECLARATION OF SCOTT D. TENLEY

I, Scott D. Tenley, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I represent the government in this matter, which includes the filing of this ex parte application.

2. On March 26, 2015, defendant Teofil Brank ("defendant") filed an application for bail review or reconsideration of order setting conditions of release or detention by Magistrate Judge Michael R. Wilner (the "application"). (CR 15.)

3. On March 27, 2015, the Honorable Michael R. Wilner conducted a hearing on defendant's application. (CR 17.) During the hearing, the Court ordered the government to produce certain discovery and witness statements related to the government's opposition to defendant's application by 12:00 p.m. on April 1, 2015.

4. Pursuant to the Court's order, the government intends to produce to defendant recorded telephone calls made by defendant (the "recordings") while in the custody of the Bureau of Prisons, Metropolitan Detention Center (the "BOP"). The government has served a subpoena on the BOP seeking production of the recordings, but the BOP has yet to produce the recordings.¹

5. While the government will endeavor to comply with the Court's Order, the government respectfully moves the Court out of an abundance of caution for an extension to 4:00 p.m. on April 1, 2015,


¹ Undersigned counsel has contacted representatives of the BOP, including in BOP counsel's office, in an effort to expedite the production of the recordings.

1 for the production to defendant of the recordings and any
2 supplemental witness statement regarding the recordings. The
3 government will timely comply with the Court's Order in all other
4 respects.

5 6. On March 31, 2015, I emailed Seema Ahmad, counsel for
6 defendant, to ascertain defendant's position on the government's
7 application. Ms. Ahmad informed me by email that defendant does not
8 oppose the government's limited request for a continuance related to
9 the recordings.

10 I declare under penalty of perjury that the foregoing is true
11 and correct to the best of my knowledge and belief.

12
13
14 Date: March 31, 2015



Scott D. Tenley
Assistant United States Attorney